



1850 M Street, N.W., 11th Floor
Washington, D.C. 20036
Telephone: (202) 828-7453

Jay C. Keithley
Vice President
Law and External Affairs
United Telephone Companies

September 22, 1993

RECEIVED
SEP 22 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr. William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20036

RE: In the Matter of Local Exchange Carrier Line Information Data Base
CC Docket No. 92-24

Dear Mr. Caton:

Attached is the original and four copies of the Refund Plan of the United Telephone Companies in the matter referenced above.

Sincerely,

A handwritten signature in cursive script that reads "Jay C. Keithley".

Jay C. Keithley
Vice President
Law and External Affairs

Attachment

JCK/mlm

No. of Copies rec'd
List A B C D E

044

RECEIVED

SEP 22 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of)
Local Exchange Carrier Line)
Information Data Base)

CC Docket No. 92-24

TO: The COMMON CARRIER BUREAU

REFUND PLAN OF THE
UNITED TELEPHONE COMPANIES

In its August 23, 1993 Order, the Commission ordered the United Telephone companies ("United"), and seven other LECs, to file reports describing in detail their plans for refunding amounts collected for LIDB queries and STP port charges in excess of the amounts that would have been collected at the rates the Commission approved in the Order.¹ The Order directed that the plans be filed with, reviewed by, and approved by the Bureau. Accordingly, United hereby files its refund plan.

I. LIDB Queries

United's filed LIDB query rate was \$.0384 per query. That rate was charged for all queries received from January 1, 1992 until the rate was changed to \$.03660 pursuant to the Order.² United has reviewed its billing records and determined each entity that was billed for and paid for queries at the \$.0384

1. In the Matter of Local Exchange Carrier Line Information Data Base, CC Docket No. 92-24, Order, FCC 93-400, released August 23, 1993 at par.. 13/

2. United also charges a per query transport rate of \$.0016. That rate was not changed by the Order. Thus the total rate per query is reduced from \$.04 to \$.0382.

rate since January 1, 1992. United will refund to these entities \$.0018 (\$.0384 - \$.03660) for each query billed at the \$.0384 rate from January 1, 1992. United plans to issue a check to each entity after the approval of this plan. The check shall be in an amount equal to the sum of \$.0018 times the total number of queries billed at \$.0384 since January 1, 1992 plus interest through the date of the check, calculated as hereinafter explained.

Alternatively, if the LIDB query customer requests, United will refund through a credit on that customer's first LIDB query bill issued after the date of approval of this plan. The credit amount shall be determined as explained above and shall also bear interest computed through the date of the bill. Prior to issuing refund checks United will contact each of its LIDB query customers to determine whether the customer wants a credit or a check. United will explain to the customer that if a credit is applied, but the credit is greater than the customer's next LIDB query bill, then the excess credit shall be carried forward to the next LIDB query bill, but no additional interest shall be credited beyond the date of the first bill.

The Commission directed that simple interest should be paid on the refunds computed on the basis of interest rates specified by the United States Internal Revenue Service ("IRS"). United plans to compute the interest from the first day of the month

following the month the query was actually made. For example, bills for January 1992 usage were sent on or shortly after February 1, 1992. Payments were received on a variety of dates. For sake of convenience, United will treat February 1 as the bill date and shall use that date as the starting point for interest. United will continue to add interest to the refund amount until the check is issued (or credit is flowed to the LIDB customer through the first LIDB billing following approval of this plan).

Examples of how the interest will be applied are shown on the attached Appendix A. For instance, assuming the plan is approved and refunds are issued on October 1, 1993, then refunds for January 1992 usage will be credited with interest beginning on February 1, 1992. The applicable IRS annual interest rate for the first quarter of 1992 was 8% and annual interest for February and March equates to 1.33%.³ The IRS annual interest rate for the second and third quarters of 1992 was 7%, which equates to 3.50% when applied to the six month period April through September, 1992. Finally, the IRS annual interest rate beginning in the fourth quarter of 1992 and continuing for the twelve months through the end of September 1993 is 6%. The three separate interest rates (1.33%, 3.5%, 6%) total 10.83%, which is the interest that will be applied to the refund amount

3. For presentation purposes interest rates have been rounded to two decimal places.

attributable to January 1992 usage. If the plan is not approved in time for October 1, 1993 refunds, additional interest will be calculated and added to the refund amount through the date of payment or credit.

The annual access tariff filed on July 1, 1993 has no effect upon the refund for LIDB queries because United's LIDB query rate was not changed in the annual filing.

II. STP Port Charges

United's filed rate for STP Port charges was \$485 per port. In the Order, the Commission reduced the STP Port charge to \$442 per port.⁴ However, United reduced the STP Port charge to \$426 per port in its 1993 annual access tariff filing. Accordingly, United will refund the difference between the \$485 charged and the \$442 ordered by the Commission (\$43 per month per port) to each entity billed STP Port charges from January 1, 1992 through June 30, 1993. United will identify the refund amounts and make the refunds, with interest, consistent with the procedures outlined above for LIDB query refunds. However, there will be no refunds attributable to the period after June 30, 1993 because the rate charged after that date was less than the rate allowed by the Commission in its Order.

4. The Tariff Division has clarified that the \$900 port charge shown in the Allowed LIDB Rates matrix that was attached to the Order was incorrect. Rather, the Commission approved the \$442 charge presented in United's ex parte presentation. See, Order at par. 13.

III. Conclusion

United's refund plan is fair, simple to administer, and designed in accordance with the dictates of the Order. United seeks approval of the plan so it can commence with the required refunds.

Respectfully submitted,

UNITED TELEPHONE COMPANIES

By: Jay C. Keithley

Jay C. Keithley
1850 M Street, N.W.
Suite 1100
Washington, DC 20036
(202)857-1030

Craig T. Smith
P.O. Box 11315
Kansas City, MO 64112
(913)624-3065

THEIR ATTORNEYS

September 22, 1993

LINE INFORMATION DATA BASE REFUND DETAIL

CALCULATION EXHIBIT:

MONTHLY INTEREST AS A PERCENTAGE OF OVERCHARGES

SERVICE MONTH & YEAR	BILL DATE	SIMPLE INTEREST @ 8% (Q192)	SIMPLE INTEREST @ 7% (Q2,392)	SIMPLE INTEREST @ 6% (Q492=>)	TOTAL INTEREST
JANUARY 1992	FEBRUARY 1992	1.33%	3.50%	6.00%	10.83%
FEBRUARY 1992	MARCH 1992	0.67%	3.50%	6.00%	10.17%
MARCH 1992	APRIL 1992		3.50%	6.00%	9.50%
APRIL 1992	MAY 1992		2.92%	6.00%	8.92%
MAY 1992	JUNE 1992		2.33%	6.00%	8.33%
JUNE 1992	JULY 1992		1.75%	6.00%	7.75%
JULY 1992	AUGUST 1992		1.17%	6.00%	7.17%
AUGUST 1992	SEPTEMBER 1992		0.58%	6.00%	6.58%
SEPTEMBER 1992	OCTOBER 1992			6.00%	6.00%
OCTOBER 1992	NOVEMBER 1992			5.50%	5.50%
NOVEMBER 1992	DECEMBER 1992			5.00%	5.00%
DECEMBER 1992	JANUARY 1993			4.50%	4.50%
JANUARY 1993	FEBRUARY 1993			4.00%	4.00%
FEBRUARY 1993	MARCH 1993			3.50%	3.50%
MARCH 1993	APRIL 1993			3.00%	3.00%
APRIL 1993	MAY 1993			2.50%	2.50%
MAY 1993	JUNE 1993			2.00%	2.00%
JUNE 1993	JULY 1993			1.50%	1.50%
JULY 1993	AUGUST 1993			1.00%	1.00%
AUGUST 1993	SEPTEMBER 1993			0.50%	0.50%
SEPTEMBER 1993	OCTOBER 1993				
TOTALS					

CERTIFICATE OF SERVICE

I, Melinda L. Mills, hereby certify that I have on this 22nd day of September, 1993, sent via U.S. First Class Mail, postage prepaid, or Hand Delivery, a copy of the foregoing "Refund Plan of the United Telephone Companies" in the Matter of Local Exchange Carrier Line Information Data Base, CC Docket No. 92-24, filed this date with the Acting Secretary, Federal Communications Commission, to the persons listed on the attached service list.


Melinda L. Mills

* Hand Delivery

Christopher Frentrup*
Federal Communications Commission
1919 M Street, N.W., Room 518
Washington, D.C. 20554

ITS*
1919 M Street, N.W., Room 246
Washington, D.C. 20554

Roy L. Morris
Deputy General Counsel
Allnet Communication Services, Inc.
1990 M Street, N.W., Suite 500
Washington, D.C. 20036

Gregory Casey
Jane A. Fisher
International Telecharge, Inc.
6707 Democracy Blvd.
Bethesda, MD 20817

Richard E. Wiley
Robert J. Butler
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006
Counsel for Competitive Telecommunications Assoc.

Genevieve Morelli
Heather B. Gold
Competitive Telecommunications Assoc.
1140 Connecticut Avenue, N.W., Suite 220
Washington, D.C. 20036

Andrew L. Regitsky
MCI Telecommunications Corporation
1801 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

Richard Juhnke*
Marybeth M. Banks
Sprint Communications Co., L.P.
1850 M Street, N.W., Suite 1100
Washington, D.C. 20036

Helen Shockey
BellSouth Telecommunications, Inc.
4300 Southern Bell Center
675 West Peachtree Street, N.E.
Atlanta, GA 30375

Joel A. Ader*
Bellcore
2101 L Street, N.W., 6th Floor
Washington, D.C. 20037